

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY No. 2

GOVERNMENT OF GOA

Department of Law & Judiciary

Law (Establishment) Division

Notification

1-53-82-2004-LD (Estt)

GOA JUDICIAL SERVICE RULES, 2005

In exercise of the powers conferred by Articles 233 and 234 of the Constitution of India read with Section 20 of the Goa, Daman and Diu Reorganisation Act, 1987 (Central Act 18 of 1987) and after consultation with the Goa Public Service Commission and the High Court of Bombay, as required by the said Articles 233 and 234 of the Constitution of India and in supersession of the Goa Civil (Judicial Branch) Rules, 1992, the Governor of Goa is pleased to make the following Rules, namely:—

CHAPTER I

Preliminary

1. *Short title and commencement.*— (1) These rules may be called the Goa Judicial Service Rules, 2005.

(2) Rule 3 shall be deemed to have come into force on 1-7-1996, and the remaining rules shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context requires otherwise,—

(a) "Degree in Law" means a degree qualifying the holder for enrolment as an Advocate under the Advocates Act, 1961 (Central Act 25 of 1961);

(b) "Government" means the Government of Goa;

(c) "Governor" means the Governor of Goa;

(d) "High Court" means the High Court of Bombay;

(e) "Official Gazette" means the Goa Government Gazette;

(f) "Public Prosecutor" includes the Additional and Assistant Public Prosecutor;

(g) "recruiting authority" means the High Court;

(h) "Service" means the Goa Judicial Service;

(i) "State" means the State of Goa.

CHAPTER II

Constitution of the Service

3. *Constitution of the Service.*— (1) On and from the 1st day of July, 1996, there shall be constituted a State Service known as the Goa Judicial Service.

(2) The service shall consist of the cadres specified in column (2) of the Table below sub-rule (3) and the number of posts in each of those cadres shall be as sanctioned from time to time. The strength of the cadre as on 1-7-1996 shall consist of posts specified in column (3) of the Table below sub-rule (3).

(3) The existing cadres specified in said column (2) below shall be designated as the cadres specified in the corresponding entries in column (1) of the said Table below and initially they shall constitute the service and the holders of the posts in said column (2) shall hold posts in said column (1) and their condition of service shall be governed by these rules:

TABLE		Pay Scales	
(1)	(2)	(3)	(4)
(a) District Judges and Additional District Judges	(i) District Judges (ii) Additional District Judges	2 4	Rs. 16,750-20,500 Rs. 16,750-20,500
(b) Senior Civil Judges	Civil Judges, Senior Division	10	Rs. 12,850-17,550
(c) Civil Judges	Civil Judges, Junior Division	20	Rs. 9,000-14,500

(4) *Selection Grade District Judges and Super Time Scale District Judges.*— The High Court shall confer Selection Grade and Super Time Scale on merit-cum-seniority basis to Officers in the cadre of District Judges with pay scales as indicated in the Table below:—

	Eligibility	Total number of Officers eligible	Pay Scales
Selection Grade	5 years of service as District Judges	25% of the cadre strength of District Judges	Rs. 18,750-22,850
Super Time Scale	3 years of service as Selection Grade District Judges	10% of the cadre strength of District Judges	Rs. 22,850-24,850

Upon conferment of such Selection Grade or Super Time Scale, such District Judges shall be

called "Selection Grade District Judges" or "Super Time Scale District Judges", as the case may be.

(5) *Assured Career Progression Scales.*— (i) A Civil Judge/a Senior Civil Judge, shall be entitled to be considered for conferment of the First Assured Career Progression Scale on completion of 5 years as Civil Judge/Senior Civil Judge in service if—

(a) he has not been promoted;

(b) the High Court finds him to be fit to be conferred with Assured Career Progression Scale and his performance as reflected in the Annual Confidential Reports is not less than average;

(ii) A Civil Judge/Senior Civil Judge shall be entitled to be considered for Second Assured Career Progression Scale on completion of 10 years of service as Civil Judge/Senior Civil Judge, if—

(a) he has not been promoted;

(b) the High Court finds him to be fit to be conferred with Assured Career Progression Scale and his performance as reflected in the Annual Confidential Reports is not less than good.

CHAPTER III

Recruitment

4. *Appointing Authority.*— The Appointing Authority for the cadre of District Judges and Civil Judges shall be the Governor and for the cadre of Senior Civil Judges shall be the High Court.

5. *Method of recruitment, qualification and age limit.*— In respect of each category of posts specified in column (2) of the Table below, the method of recruitment and minimum qualification, age limit, etc., shall be as specified in the corresponding entries in columns (3) and (4) thereof.

TABLE

Sr. No.	Cadre	Method of Recruitment	Qualifications, age limit, etc.
(1)	(2)	(3)	(4)
1	District Judges and Additional District Judges	(a) 50% of the posts in cadre shall be filled by promotion from the cadre of Senior Civil Judges on the basis of merit-cum-seniority by the High Court.	1. Must have been in the cadre of Senior Civil Judges at least for a period of three years after successful completion of officiating period:

(1)	(2)	(3)	(4)
			<p>Provided that if there are no candidates available for selection, the High Court may, for reasons to be recorded in writing, relax the condition relating to minimum years of service.</p>
		<p>(b) Not exceeding 25% of the posts in the cadre shall be filled in by limited competitive examination, strictly on the basis of merit, in terms of the rules as may be framed by the High Court.</p>	<p>1. Must have been serving as Senior Civil Judge at least for a period of 1 year after successful completion of officiating period.</p>
		<p>(c) <i>By direct recruitment.</i>—Not exceeding 25% of the posts in the cadre may be filled by direct recruitment on the basis of the aggregate marks/grade obtained in a competitive examination conducted by the High Court, in terms of the rules as may be framed by the High Court, from time to time.</p>	<p>a) <i>Educational qualification and other requirements.</i>—Must be holder of a Degree in Law.</p> <p>b) <i>Experience.</i>—Must be practicing as an Advocate in the High Court or Courts subordinate thereto for not less than 7 years on the date of publication of advertisement.</p> <p>Note: For the purpose of this clause, in computing the period during which a person has been an Advocate, there shall be included any period during which he has held the post of a public/Police Prosecutor or judicial office.</p> <p>OR</p> <p>Must be working or must have worked as Public Prosecutor or Additional Public Prosecutor or Government Advocate in the High Court for not less than 7 years in the post or posts. In computing the period of 7 years, the period during which the candidate has worked as an Advocate shall also be included.</p> <p>c) <i>Age.</i>—Must have attained the age of thirty-five years and must not have attained the age of forty-eight years in the case of candidates belonging to communities recognised as backward by the Government for the purpose of recruitment and forty-five years in the case of others, as on the date of publication of advertisement.</p> <p>d) (i) <i>Essential:</i> Knowledge of Konkani. (ii) <i>Desirable:</i> Knowledge of Marathi.</p> <p>Must be certified by the Principal Judge of District, where the candidate practices or within whose jurisdiction he ordinarily resides, to have sufficient knowledge of Konkani; knowledge of Marathi being desirable.</p>
2.	Senior Civil Judges	By promotion from the cadre of Civil Judges selected by the High Court on the basis of merit-cum-seniority.	<p>1. Must have been in the cadre of Civil Judges for a period not less than 3 years after successful completion of probationary period.</p> <p><i>For direct recruitment:</i></p> <p>a) <i>Educational qualification:</i> Must hold a Degree in Law.</p> <p>b) <i>Experience:</i> Must have practiced as an Advocate in the High Court or Courts subordinate thereto for a period of three years.</p>
3.	Civil Judges	By direct recruitment on the basis of aggregate marks obtained in a competitive examination conducted by the High Court, in terms of the rules as may be framed by the High Court.	

(1)	(2)	(3)	(4)
			<p>Or must be a fresh Law Graduate who (i) has secured the Degree in Law by passing all the examinations leading to the Degree in the first attempt;</p> <p>(ii) has secured at the final year examination of the Degree in Law or in case of candidate holding Master's Degree in Law at final LL.M examination not less than fifty five percent marks.</p> <p>OR</p> <p>Must be working or must have worked as a Public Prosecutor or Additional Public Prosecutor or Assistant Public Prosecutor or Government Advocate for not less than 3 years in the post or posts. In computing the period of 3 years, the period during which the candidate has worked as an Advocate shall be included.</p> <p>OR</p> <p>Must be working as Superintendent in the High Court of Bombay at Panaji or in Courts subordinate thereto in Goa and holding a Degree in Law or Sub-Registrar or District Registrar in Goa holding a Degree in Law or Legal Assistant in the Law Department of the Government of Goa or Superintendent (Legal/Drafting) in the Law Department of the Government of Goa, for not less than 5 years in the post or posts:</p> <p>c) Age.— Not less than twenty one years and not more than (i) 35 years in case of Advocates with three years practice, (ii) 25 years in case of fresh Law Graduates:</p> <p>Provided that upper age limit in each of the above categories may be relaxed by five years in respect of candidates belonging to communities recognised as backward by the Government for the purpose of recruitment.</p> <p>d) (i) <i>Essential</i>: Knowledge of Konkani. (ii) <i>Desirable</i>: Knowledge of Marathi.</p> <p>Candidates must have sufficient knowledge of Konkani; knowledge of Marathi being desirable. Such knowledge must be certified by the Principal Judge of the District where he practices/resides.</p>

6. Recruitment by nomination or direct recruitment.— (1) (a) In the month of July every year, the recruiting authority shall be informed of the number of existing vacancies and the vacancies that are likely to occur upto July of the next year.

(b) Every year the recruiting authority shall invite by advertisement in the Official Gazette and in at least two Newspapers, application in such form as it may determine, from intending

candidates, who possess the prescribed qualifications for filling in the vacancies.

(c) The recruiting authority shall hold a written examination of 200 marks referred to in rule 12 of these rules.

(d) The recruiting authority shall hold viva voce examination carrying 50 marks of candidates who secure not less than fifty percent of marks at such written examination:

Provided that Scheduled Caste/Scheduled Tribe candidates who obtain forty five percent or more marks or corresponding grade in the written examination shall be eligible for the viva voce examination.

(e) A candidate who could not successfully pass the competitive written examination in three (3) attempts consecutively, shall be debarred from appearing for such examination.

(f) A candidate who has committed any copying or misconduct during course of written examination, or has been convicted in criminal case or is compulsorily retired, removed or dismissed from judicial service or could not successfully complete probation period of any post in judicial service will not be eligible to appear for the competitive examination.

(g) The recruiting authority shall, on the basis of cumulative grade value secured by a candidate, prepare in the order of merit, a list of candidates eligible for appointment. The number of names of candidates to be included in the list shall be equal to the number of vacancies notified.

(h) Besides the above list, the recruiting authority shall prepare an additional list of candidates equal to ten percent of the number of vacancies notified for recruitment, or one, whichever is higher.

(i) The recruiting authority shall recommend the names of selected candidates by completing the selection process within five months from the publication of the advertisement in the Official Gazette.

(j) The Government, within two months of the names of selected candidates being forwarded to it, shall complete the process of verification of antecedents and medical examination and issue appointment orders.

(k) Candidates included in the list prepared under clause (g) of sub-rule (1) above and after such list is exhausted, candidates from the additional list prepared under clause (h) of sub-rule (1), shall be considered for appointment in the order in which their names appear in such lists and subject to rule (10), they may be appointed by the appointing authority in the vacancies notified under clause (a) of sub-rule (1) above. Inclusion of a candidate in any list prepared under sub-rule (1) shall not confer any right of appointment on such candidate.

(l) The High Court may issue the posting orders after appointments are notified by the Government.

(2) Every candidate applying for appointment by direct recruitment shall furnish certificates from two respectable persons unconnected with his College or University and not related to him, testifying to his character.

(3) The decision of the recruiting authority as to the eligibility or otherwise of a candidate for admission to the written and viva voce examination shall be final. A candidate to whom certificate of admission has not been issued by the recruiting authority shall not be admitted for the examination.

(4) The lists so prepared under clauses (g) and (h) of sub-rule (1) above shall be published in the Official Gazette and they shall cease to be operative on the expiry of one year from the date of such publication.

(5) Candidates whose names are included in the list prepared under clause (g) of sub-rule (1) above shall be considered for appointment in the order in which their names appear in the list and subject to rule (8), they may be appointed by the appointing authority in the vacancies notified under clause (a) of sub-rule (1) above. Candidates whose names are included in the additional list may be similarly appointed after the candidates whose names are included in the list published under sub-clause (g) of sub-rule (1) above have been appointed. Inclusion of the name of a candidate in any list prepared under sub-rule (1) shall not confer any right of appointment to such candidate.

7. Disqualification for appointment.— A person shall not be eligible for appointment to the service—

(a) if he is not a citizen of India; or

(b) if he is compulsorily retired, removed or dismissed from judicial service or from service in Government or statutory or local authority, or failed to complete probation period in Judicial Service or any post, or in Government or statutory or local authority; or

(c) if he has been convicted of an offence involving moral turpitude or he is or has been permanently debarred or disqualified by the High Court or the Union Public Service Commission or any State Public Service

Commission from appearing for examinations or selections conducted by it; or

(d) if he directly or indirectly influences the recruiting authority by any means for his candidature; or

(e) if he is a man who has more than one wife living and if a woman, has married a man already having another wife; or

(f) if he has more than two children.

8. *Conditions relating to suitability, fitness and character.*— No person selected for appointment by direct recruitment shall be appointed,—

(i) unless the appointing authority is satisfied that he is of good character and is in all respects suitable for appointment to the service;

(ii) unless it is certified by the Medical Authority specified by High Court that he is medically fit to discharge the duties of the post to which he is selected for appointment.

9. *Fees.*— Every candidate for direct recruitment may be required to pay such fees as may be specified in the notification inviting applications:

Provided that in the case of a candidate belonging to Scheduled Caste or Scheduled Tribes, the fees payable shall be one half of the fees specified in the notification for other candidates.

10. *Joining time for appointment.*— (1) A candidate selected for direct recruitment shall report for duty before the authority on the date specified in the order of appointment.

(2) Notwithstanding anything contained in sub-rule (1), the appointing authority may, on the application of the candidate, if satisfied that there are good and sufficient reasons for doing so, by order in writing, grant such further time as it may deem necessary.

(3) The name of the candidate who fails to assume charge of the post within the time specified in sub-rule (1) or within the further time granted under sub-rule (2) shall stand deleted from the list of selected candidates and he shall cease to be eligible for appointment.

11. *Appointment by promotion.*— (1) To fill a vacancy required to be filled by promotion, the

recruiting authority shall take all necessary steps well in advance so as to finalise the list of persons considered eligible for promotion at least 15 days before the occurrence of the vacancy. For this purpose, the authority may follow an annual programme similar to the one specified in sub-rule (1) of rule 6 above.

(2) (a) Promotion of Civil Judge to the post of Senior Civil Judge shall be made on the basis of evaluation of their judgments carrying 50 marks, evaluation of Annual Confidential Reports carrying 20 marks, vigilance reports carrying 20 marks and special reports of the Heads of the Department under whom the candidate has worked in the three years preceding the year of selection carrying 10 marks.

(b) The Recruiting Authority shall draw up a list of Officers from the zone of consideration in accordance with the marks obtained by the Officers in the valuation referred to in the preceding clause. Officers equal to the number of vacancies to be filled in the next one year shall be picked up in order of marks obtained by them. The names of such Officers shall be rearranged in accordance with their seniority in the cadre of Civil Judges. Appointments shall be made from the list so prepared in the succeeding year.

(c) An additional list of officers equal to ten percent of the expected number of vacancies may also be similarly prepared.

(3) (a) Promotion of Senior Civil Judges to the post of District Judges shall be made on the basis of their performance at a written examination of 200 marks, evaluation of their judgments carrying 50 marks, evaluation of Annual Confidential Reports carrying 20 marks, vigilance reports carrying 20 marks, special reports of the Heads of the Departments under whom the candidate has worked in three years preceding the year of selection carrying 10 marks and viva voce examination carrying 50 marks.

(b) A list of all candidates considered for promotion shall be prepared in order of cumulative grade obtained by them as a result, of evaluation referred to in clause (a) of this sub-rule.

(c) A list of candidates who comply with the requirements specified in column (4) against entry No. 1 (b) in the Table under rule (5) equal to 25% of vacancies to be filled in strictly on the basis of merit, shall be first drawn up from the list referred

to in clause (b) of this sub-rule in the order of marks obtained by them.

(d) A list of candidates equal to 50% of vacancies to be filled up on the basis of merit-cum-seniority shall then be drawn up from the remaining list in order of marks obtained by them and the names of such candidates shall be re-arranged in the order of their seniority in the cadre of Senior Civil Judges.

12. *Competitive examination*.— (1) The competitive examination/written examination for recruitment to the posts of District Judges, whether by nomination or promotion, shall be of not less than two hours duration with 200 maximum marks.

(2) The competitive examination for recruitment of Civil Judges shall consist of a written examination of two papers having duration of two hours each carrying 100 marks each in Civil and Criminal Laws, respectively.

(3) The object of the viva voce examination under these rules is to assess the suitability of the candidate for the cadre by judging the mental alertness, knowledge of law, clear and logical exposition, balance of judgment, skills, attitude, ethics, power of assimilation, power of communication, character, intellectual depth and the like of the candidate.

(4) The mode of evaluating the performance and grading in the written and viva voce examination shall be as specified in Schedule - A.

13. *Selection Committee*.— (1) The Selection Committee for direct recruitment shall consist of the following:—

(a) Two Judges of the High Court to be nominated by the Chief Justice. The seniormost Judge shall act as the Chairperson.

(b) The Chief Secretary of the State of Goa.

(c) The Law Secretary to the Government of Goa will be the *ex-officio* Secretary.

(2) The selection of members of the service for promotion shall be made by the High Court.

CHAPTER IV

Probation and Officiation

14. *Probation and officiation*.— (1) All appointments to the service by direct recruitment shall be on probation for a period of two years.

(2) All appointments by promotion shall be on officiating basis for a period of two years.

(3) The period of probation or officiation, as the case may be, for reasons to be recorded in writing, may be extended by the appointing authority by such period not exceeding two years.

(4) Months before the end of the period of probation or officiation or before the extended period of probation or officiation, as the case may be, the appointing authority shall consider the suitability of the person so appointed or promoted to hold the post to which he was appointed or promoted, and—

(i) if he is found suitable, issue an order declaring him to have satisfactorily completed the period of probation or officiation, as the case may be; and such an order shall have effect from the date of expiry of the period of probation or officiation, including the extended period, if any, as the case may be.

(ii) if the appointing authority finds that the person is not suitable to hold the post to which he was appointed or promoted, as the case may be, shall, by order—

(a) if he is a promotee, revert him to the post which he held prior to his promotion;

(b) if he is a probationer, discharge him from service.

(5) A person shall not be considered to have satisfactorily completed the period of probation or officiation, as the case may be, unless a specific order to that effect is passed. Any delay in passing such an order shall not entitle the person to be deemed to have satisfactorily completed the period of officiation or probation, as the case may be.

15. *Discharge of a probationer during period of probation*.— Notwithstanding anything contained in rule (14), the appointing authority may, at any time during the period of probation, discharge from services, a probationer on account of his unsuitability for the service.

16. *Confirmation.*— A probationer who has been declared to have satisfactorily completed his probation and a promotee who has been declared to have satisfactorily completed his period of officiation shall be confirmed as a member of the service in the category of post to which he was appointed or, as the case may be, promoted, at the earliest opportunity in any substantive vacancy which may exist or arise.

17. *Increment during the period of probation or officiation.*— The increments during the period of probation should be regulated as follows:—

(i) The first increment should be released on completion of one year of his probationary period and the subsequent increment should be released on his completing the probationary period satisfactorily.

(ii) A probationer whose probationary period is extended on account of unsatisfactory performance, should be allowed to draw second increment only with effect from the date of satisfactory completion of the probationary period and shall not be eligible for arrears.

CHAPTER - V

Seniority

18. *Seniority.*— (1) An Officer appointed in accordance with the rules of recruitment on regular basis shall be senior to persons appointed temporarily.

(2) Where more than one officer is promoted to a cadre at the same time, the inter-se-seniority of persons so promoted shall be determined by order in which their names are arranged in the select list of promotees.

(3) Where direct recruitment is made to a cadre, the inter-se-seniority of persons so recruited shall be in the order in which their names are arranged in the select list.

19. *Seniority of District Judges to be appointed after these rules come into force.*— Officers who are appointed under entries 1 (a), 1 (b) or 1 (c) in the Table under rule (5) of these rules, their seniority shall be regulated by a forty point roster in Appendix-I to these Rules.

20. *Publication of Seniority List.*— Every year in the month of January, seniority lists of Officers in all cadres shall be prepared and published by the High Court and the lists so published shall be used for the purpose of making promotions to the next higher cadre.

CHAPTER - VI

Miscellaneous

21. *Age of superannuation.*— Every member of the Judicial Service shall retire by superannuation on attaining the age of 60 years, subject to clearance by Special Review Committee constituted by the Chief Justice of the High Court for the purpose which Committee shall review the cases of all Judicial Officers by following the procedure prescribed for compulsory retirement under the Service Rules applicable to them, on their attaining the age of 58 years.

22. *Addition of certain service for purpose of pension.*— An Advocate appointed as a Civil Judge or a District Judge shall be entitled to reckon as service qualifying for superannuation pension, the actual period of practice put in by him at the Bar not exceeding three years or seven years respectively.

23. *Retirement in public interest.*—Notwithstanding anything contained in these rules, the Governor shall, on the recommendation of the High Court, if he is of the opinion that it is in the public interest so to do, have the absolute right to retire any member of the service when he attains the age of 50/55 years by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice.

24. *Knowledge of Konkani and Marathi.*— For appointment by direct recruitment, knowledge of Konkani is essential. Knowledge of Marathi will be desirable.

25. *Residuary provision.*— The conditions of service of the members of the service for which no express provision is made in these rules shall be determined by the rules and orders for the time being applicable to Officers of the Goa Civil Service of similar ranks.

26. *Training.*— (1) (a) Every person appointed by direct recruitment to the service shall, before he is given a posting, undergo such training as may, be prescribed by the High Court from time to time.

(b) A person may be deemed unsuitable for the purpose of rule 15 if his performance during the training is found to be unsatisfactory.

(2) Every member of the service shall be given such periodical training as the High Court may, from time to time, prescribe.

27. *Repeal and Savings.*— (1) On and from the date of commencement of these rules, the Goa Civil Service (Judicial Branch) Rules, 1992 shall stand repealed:

Provided that such repeal shall not affect the previous operation of the rules so repealed and anything done or any action taken shall, in so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules and shall continue to be in force unless and until specifically invalidated under the present rules.

(2) All the rules/regulations/resolutions and practices, so far as they are inconsistent with these rules stand repealed.

SCHEDULE - A

[(See Rule 12 (4))]

Evaluating Performances in Competitive Examinations for Judicial Selection

The system operates as follows:

1. The questions in the question paper may carry numerical marks for each question.
2. The examiner may assign numerical marks for each sub-question which may be totalled up and shown against each full question in numbers.
3. The tabulator will then convert the numerical marks into grades in a seven point scale with corresponding grade values as follows:

Percentage of marks	Grade	Grade value
70% and above	O	7
65% to 69%	A+	6
60% to 64%	A	5
55% to 59%	B+	4
50% to 54%	B	3
45% to 49%	C+	2
40% to 44%	C	1
Below 40%	F	0

4. After converting the numerical marks of each question into the appropriate Grade according to the formula given in the first column above, the tabular will re-convert the Grades obtained for each question to the Grade value according to the value given in the third column above.

What is now obtained is the relative Grade value of each answer in the question paper obtained by the candidate in a seven point scale (i.e. '0' to '7').

The tabulators next task is to add up those Grade values and divide the sum total by the number of questions in the answer book including the questions unanswered by the candidate. What is thus obtained is the Cumulative Grade Value Average (CGVA) obtained by the candidate at the examinations. Suppose the CGVA comes to '4', the Grade obtained by the candidate at the examination is "B+". If the CGVA is '6', the Grade of the candidate is "A+".

5. Thus organised, the result of the written examination will be indicating only the cumulative evaluation Grade of the candidates which moderates the inevitable element of subjectivity in individual evaluation and brings in relative objectivity and fairness to a much higher degree. Of course, the tabulation record sheet can carry the numerical marks as well for reference and rechecking whenever needed. A proper computer programme can do all these operations in minutes.

6. What happens if there are several successful candidates obtaining the same grade and the available positions are fewer in number? How do you rank then to determine who is to be given the job? Of course, this situation can develop with numerical marking also where persons with one mark or half a mark difference are given advantage. This is unfair given the fact that in actual practice this may happen because of the play of subjective elements on the part of the individual examiners. What is therefore, recommended is a similar vigorous and objective grade value exercise for the viva-voce examination as well.

7. At the end of each day's interview, the tabulator will convert the numerical marks assigned to each category into Grades and then to Grade values. This will then be totalled up and the Cumulative Grade Value Average of each candidate interviewed will be obtained.

8. Thus a separate list of candidates interviewed and the Grades obtained in the viva voce will be readied which will naturally be far more fair and transparent with little scope for corrupt practices to creep in. Again, for ready reference, the result sheet may carry the numerical marks side by side with Grades.

9. The final selection list will be readied by combining the Cumulative Grade Value obtained in the written examination and the viva voce examination.

Since in practice many candidates who have obtained less than prescribed Grade (say B+) in the written examination will not be called for viva voce examination, the combined tabulation has to be done only with reference to fewer candidates, possibly one-tenth or even less of the total number of applicants for the job.

10. If the viva voce is rigorous and higher marks are given only to those who are outstanding in all categories of evaluation given in the proforma, the chances are very few will obtain higher Grades (like 'O' or 'A') and their numbers may be just within the available vacancies.

There may be some borderline cases where it is difficult to determine who is to be included and whom to be excluded. This dilemma may be resolved by a second interview between those candidates by the same board or alternatively looking at the difference in numerical scores between them similarly placed in Grades.

APPENDIX - I

40 Points Roster

1. Direct recruit
2. Promotee (Through competitive examination)
3. Promotee
4. Promotee
5. Direct recruit
6. Promotee (Through competitive examination)
7. Promotee
8. Promotee
9. Direct recruit
10. Promotee (Through competitive examination)
11. Promotee
12. Promotee
13. Direct recruit
14. Promotee (Through competitive examination)
15. Promotee
16. Promotee
17. Direct recruit
18. Promotee (Through competitive examination)

19. Promotee
20. Promotee
21. Direct recruit
22. Promotee (Through competitive examination)
23. Promotee
24. Promotee
25. Direct recruit
26. Promotee (Through competitive examination)
27. Promotee
28. Promotee
29. Direct recruit
30. Promotee (Through competitive examination)
31. Promotee
32. Promotee
33. Direct recruit
34. Promotee (Through competitive examination)
35. Promotee
36. Promotee
37. Direct recruit
38. Promotee (Through competitive examination)
39. Promotee
40. Promotee

By order and in the name of the Governor
of Goa.

Mario da Silva, Under Secretary (Law-Estt.).

Panaji, 28th June, 2005.